

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GERSHON KULEK,)	
)	
Plaintiff,)	1:14-cv-01767
)	Judge Thomas M. Durkin
vs.)	
)	
LEASE FINANCE GROUP LLC,)	
)	
Defendant.)	

PLAINTIFF’S INITIAL STATUS REPORT

1. Nature of the Case

A. Attorneys of Record:

Daniel A. Edelman, Catherine M. Combs, James O. Latturner, and Rebecca A. Cohen of Edelman, Combs, Latturner & Goodwin, LLC, representing the plaintiff. Daniel A. Edelman will be the lead trial attorney for plaintiff.

Defendant Lease Finance Group, LLC has not appeared.

B. Nature of the Claim:

Plaintiff’s complaint alleges violations of the Fair Credit Reporting Act, 15 U.S.C. §1681 et seq. (“FCRA”), the Illinois Consumer Fraud Act, 815 ILCS 505/2 (“ICFA”), and other state law by defendant Lease Finance Group, LLC for improperly obtaining a credit report for plaintiff and other unlawful credit reporting and debt collection practices.

C. Major Issues:

1. **Major Legal Issues:** The principal legal issues are: whether the credit report was obtained without a permissible purpose by defendant; whether defendant violated the FCRA by providing false information to Experian and possibly other credit bureaus; whether defendant violated the ICFA when it made harassing phone calls to plaintiff; whether plaintiff is entitled to relief under the FCRA and ICFA; whether plaintiff is entitled to a declaratory judgment.
2. **Major Factual Issues:** The principal factual issues are: when and how defendant obtained plaintiff’s credit report; what information defendant provided to the credit reporting agencies regarding plaintiff; and whether defendant or its agents made phone calls to plaintiff for purposes of debt

collection.

D. Relief Sought:

The damages sought for plaintiff's FCRA claims are appropriate actual damages, punitive and statutory damages, attorney's fees, litigation expenses and costs of suit. The damages sought for plaintiff's ICFA claim are appropriate actual and punitive damages, an injunction against further collection activities, and attorney's fees, litigation expenses and costs of suit. The damages sought for plaintiff's declaratory judgment include appropriate declaratory relief, an injunction against further collection activities, attorneys' fees, litigation expenses and costs of suit. Plaintiff further seeks such other relief as the Court deems proper on all counts of the complaint.

2. Jurisdiction

The Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 (general federal question), 1337 (interstate commerce) and 1367 (supplemental jurisdiction), and 15 U.S.C. §1681p (FCRA).

3. Status of Service:

Lease Finance Group, LLC has been served.

4. Consent to Proceed Before Magistrate:

Plaintiff does not consent to proceed before a Magistrate Judge at this time.

5. Pending Motions and Case Plan:

Plaintiff intends to file a motion to default defendant after May 27, 2014, the date by which defendant should answer or otherwise plead to the amended complaint.

6. Case Plan

A. Type of Discovery: Plaintiff will need discovery from defendant, and likely from third parties, regarding when and how defendant obtained plaintiff's credit report; what information defendant provided to the credit reporting agencies regarding plaintiff; and whether defendant or its agents made phone calls to plaintiff.

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|----|---|-------------------|
| 1. | <u>Date for Rule 26(a)(1) Disclosures:</u> | June 23, 2014 |
| 2. | <u>Date to Issue Written Discovery:</u> | July 21, 2014 |
| 3. | <u>Fact Discovery Completion Date:</u> | December 19, 2014 |
| 4. | <u>Expert Discovery Completion Date:</u> | May 22, 2015 |

- 5. **Plaintiff's Expert's Report:** January 26, 2015
- 6. **Defendant's Expert's Report:** March 16, 2015
- 7. **Plaintiff's Rebuttal Report:** April 15, 2015
- 8. **Deadline for filing dispositive Motion Filing:** August 18, 2014

B. Trial By Jury:

No party has requested trial by jury. The parties expect the trial to last 3 days.

7. Status of Settlement Discussions:

- A. No settlement discussions have been had at this time.
- B. The parties do not request a settlement conference at this time.

Respectfully submitted,

s/ Rebecca A. Cohen
Rebecca A. Cohen

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Cathleen M. Combs
James O. Lattuner
Rebecca A. Cohen
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& GOODWIN, LLC
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(312) 739-4200
(312) 419-0379 (FAX)

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I, Rebecca A. Cohen, certify that on May 19, 2014, I caused a true and accurate copy of the foregoing document to be served, via hand delivery, on the following parties:

Lease Finance Group, LLC
c/o CT Corporation System
208 S. LaSalle St., Suite 814
Chicago, IL 60604

s/Rebecca A. Cohen
Rebecca A. Cohen

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